

MEMO ENCLOSED

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January 6, 2014

BY ELECTRONIC MAIL

The Honorable Richard J. Sullivan
United States District Judge
Southern District of New York
United States Courthouse
40 Centre Street
Courtroom 905
New York, New York 10007

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 1-6-14

Re: United States v. Stephen Basciano,
13 Cr. 340 (RJS)

Dear Judge Sullivan:

This letter is in regard to above-entitled case, in which I represent defendant Stephen Basciano, and relates to counsel's availability for trial. During the most recent pretrial conference, the Court directed counsel to submit a letter today setting forth counsel's trial schedule, and this letter constitutes that submission on behalf of all counsel.

Counsel's current trial commitments are as follows:

- (1) Murray Richman, Esq. will be engaged in trial in New York State commencing March 18, 2014. That trial is scheduled to last two months;
- (2) Kevin Faga, Esq., will also be engaged in that same trial for a co-defendant;
- (3) Anthony L. Ricco, Esq., will also be engaged in that same trial for a co-defendant;
- (4) Matthew J. Mari, Esq., will be engaged in trial in *United States v. Messina* in the Eastern District beginning February 18, 2014, before Judge Matsumoto. That trial is expected to last two week; and

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- (5) I will be engaged in trial before Judge Lorna G. Schofield in *United States v. Chambers*, S1 13 Cr. 345 (LGS), commencing February 18, 2014. I expect that trial to last no more than two weeks. I also will be engaged in trial before Judge Katherine B. Forrest in *United States v. Mostafa*, 04 Cr. 356 (KBF), commencing April 14, 2014. I expect that trial to last no less than six weeks.¹

Also, I have spoken with Assistant United States Attorney Rebecca Mermelstein, and she noted that while she is available for trial following a three-week trial before Judge Forrest beginning February 18, 2014, a trial in a prosecution related to this case will begin May 11, 2014, before Judge Schofield. That trial is expected to last two weeks.

Respectfully submitted,



Joshua L. Dratel

JLD/

cc: Rebecca Mermelstein
Assistant United States Attorney

All Defense Counsel

IT IS HEREBY ORDERED THAT trial in this matter
shall commence on Tuesday, May 27, 2014.

SO ORDERED
Sdtd:

1/6/14



RICHARD J. SULLIVAN
U.S.D.J.

¹ Allan Haber, Esq., attorney for defendant Elon Valentine, has informed me that Mr. Valentine has agreed to plead guilty. As a result, Mr. Haber's trial schedule is not pertinent any longer.